

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

VICTOR GARCIA,

Plaintiff,

v.

CV No. 20-601 KWR/CG

ALBERT SENA, et al.,

Defendants.

ORDER QUASHING TO SHOW CAUSE

THIS MATTER is before the Court on its *Order to Show Cause*, (Doc. 49), filed May 18, 2021, and counsel for Curry County Detention Center Officer John Doe 1 and Officer FNU Santino (“County Defendants”)’s *Response to Order to Show Cause*, (Doc. 50), filed May 21, 2021. The Court ordered County Defendants to show cause why they failed to attend the scheduled telephonic Rule 16 Conference on May 3, 2021. (Doc. 49). In response, counsel for County Defendants explains that, to date, County Defendants have not been properly served with the summons and complaint, and thus “are not properly before the Court, and are not part of the ongoing case.” (Doc. 50 at 1). Counsel further explains that counsel’s appearance in this matter was limited to the filing of the *Motion to Quash the Summons*, (Doc. 18), and thus counsel for County Defendants are no longer involved in this matter.¹ The Court finds County Defendants’ response to be satisfactory.

¹ The Court previously granted counsel for County Defendants leave to enter this matter for the limited purpose of contesting service as to County Defendants, pursuant to D.N.M.LR-Civ. 873.4(c). See (Doc. 26 at 2); (Doc. 18 at 1, n.1). Counsel’s entry in this matter terminated upon the Court’s granting of the *Motion to Quash*, (Doc. 18).

IT IS THEREFORE ORDERED that the Court's *Order to Show Cause*, (Doc. 49),
is **QUASHED**.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'Carmen E. Garza', written over a horizontal line.

THE HONORABLE CARMEN E. GARZA
CHIEF UNITED STATES MAGISTRATE JUDGE